

MINUTES

CASE NUMBER: CR NO. 05-00321SOM

CASE NAME: United States of America Vs. Joel Castillo

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

JUDGE: Susan Oki Mollway

REPORTER:

DATE: 06/27/2008

TIME:

COURT ACTION: "MINUTE ORDER"

EO: The parties have submitted a proposed stipulation to the court seeking a reduction in Defendant Joel Castillo's sentence pursuant to amendments to the crack cocaine sentencing guidelines. The court notes that the proposed stipulation states that the amendment changes Mr. Castillo's total offense level. The court asks the parties to review the guideline calculation. It appears to the court that, under the amended guidelines, the 49.8 grams of "ice" are converted to 996 kg of marijuana, and the 14 grams of cocaine base are converted to 224 kg of marijuana (a reduction from the 280 kilograms of marijuana under the old guidelines). (Each gram of cocaine gram is multiplied by 16 for Base Offense Level 24 to get the marijuana equivalent under the new guidelines.) Adding the two marijuana amounts under the new guidelines yields a total of 1220 kg of marijuana, which is reflected in a base offense level of 32, the same base offense level as under the old guidelines. Thus, the guideline amendments do not appear to change the total offense level. In raising this matter, the court is not precluding the parties from submitting a new stipulation.

Submitted by Leslie L. Sai, Courtroom Manager